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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,767	02/09/2005	Josef Laumen	112740-1048	2866

29177 7590 06/18/2007

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EXAMINER	
PATEL, ASHOKKUMAR B	
ART UNIT	**PAPER NUMBER**
2154	
MAIL DATE	**DELIVERY MODE**
06/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/520,767	LAUMEN ET AL.	
	Examiner	Art Unit	
	Ashok B. Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) *1-20* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/10/05,8/22/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-38 are subject to examination. Claims 1-20 have been cancelled.

Claim Objections

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

The claims submitted on 01/10/2005 end up with the claim 22 as being the last claim. New claims submitted on 01/10/2005 begin with claim 21 as being the first new claim.

Examiner has provided the following rejection without renumbering the claims. Please advise.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 21-38 are rejected under 35 U.S.C. 103(a) as being Unpatentable over "XP-002225281 - "3GPP TS 23.140 V5.3.0; 3r" Generation Partnership Project; Technical Specification Group Terminals; Multimedia Messaging Service (MMS):

Functional description Stage 2 (Release 5) June 2002, pages 1-156 "(hereinafter 3GPP) in view of Ilvonen et al. (hereinafter Ilvonen) (WO 01/93558 A1)

Referring to claim 1,

3GGP teaches method for transmitting multi-media messages in a mobile radio system, the method comprising:

transmitting a multi-media message from a terminal of a first user agent to a first message service provider having different network elements; and evaluating the sent multi-media message, after arrival at the first message service provider, by a switching node at the first message service provider; and wherein the switching node determines, the network element within an area of responsibility of the first message service provider to which the multi-media message will be forwarded.

(page 129,

Annex E (informative): Use cases for Reply-Charging

The following detailed example use case of reply-charging describes the case when MMS User Agent A and MMS User Agent B belong to the same MMSE. MMS User Agent A is the sender of the reply-charged MM and MMS User Agent B is the recipient of the reply-charged MM.

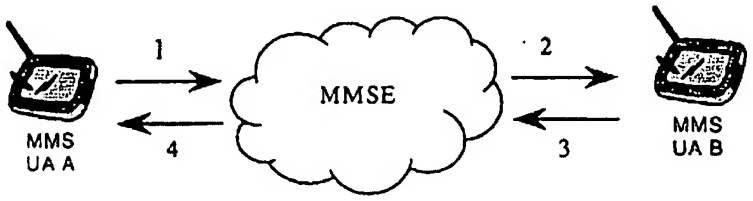

Figure E.1: Message flow in case of reply-charging

1. User A produces an MM and marks it "reply-charged" before it is submitted to the MMS Relay/Server. The MMS Relay/Server notes that user A is willing to pay for a reply-MM to this particular MM and notes the message identification of the original MM and the originator's limitations.
2. The MM is retrieved by user B in accordance to the user profile of user B. This might imply charges for user B when retrieving the MM. User B retrieves the original MM and discovers that the first reply to this message (that is accepted by the Service Provider) will be paid by user A.
3. User B creates an answer, the MMS User Agent B marks it as a reply-MM and submits it on to the MMS Relay/Server. The MMS Relay/Server identifies this MM as a reply to the original MM and checks the originator's limitations. If the MMS Relay/Server accepts the reply the reference set before (as described in transaction 1) is deleted. User A is billed for transaction 3.
4. User A retrieves the reply-MM and eventually is billed for transaction 4.

The other use case of reply-charging where MMS User Agent A and MMS User Agent B belong to different MMS Service Providers is for future elaboration.

The use case of reply-charging where the originator MMS User Agent is actually the MMS VAS Application (using MM7 reference point) behaves in the same way as the use case of two MMS User Agents in the same MMSE.

Note: VAS application is using MM& reference appoint. Also refer to para. 6.9. and 7.1.10, 8.4.5-8.4.5.2)

3GGP fails to teach wherein the switching node determines, as a function of a header field, the network element within an area of responsibility of the first message service provider to which the multi-media message will be forwarded.

Iivonen teaches at page 6, line 10-the SPR message with the "Figure 4 shows basic elements of a short message of the GSM system ending at a mobile station to the extent that the elements can be used for implementing the invention in the first preferred embodiment. The basic elements may be nested inside each other, their order may differ from what is shown in the figure and their names from what are stated here. The essential thing is that the information contained in the elements is transmitted.

The basic element destination address DA shows the address of the receiver. The basic element originating address OA shows the address of the sender, and the basic element service centre address SCA shows the address of the short message service centre the sender is using. The basic element protocol identifier PID either refers to the higher-level protocol used or indicates switching to a certain type of telematic service. The basic element user data header indicator UDHI indicates whether the basic element user data UD contains a header. The UD field contains the actual short message SM. In addition, it may contain a separate header H. The header H may be used to indicate a 'reply paid' message of the invention. In addition, the header H may contain an identifier for checking that the message can be billed to the receiver. The basic element PID of a short message can also be used for corresponding purposes. In addition, the information in the basic element PID can be combined with the information in the header H. The billing key required for billing for a reply can be formed with these basic elements.

In the first preferred embodiment of the invention, the basic element PID indicates the type of the message. The message can be a prior art-type message, or a

message replying to which is paid by the sender of the message, or a reply message paid by the receiver. In the following, a message replying to which is paid by the sender of the message is referred to as an SPR message. The basic elements DA and OA are used to check that the receiver of the reply message will pay for the reply himself. The identifier added to the header H is used for the same purpose. In the first preferred embodiment of the invention, the billing key is formed by the identifier in the header and the basic elements DA and OA. In the first preferred embodiment of the invention, the address SCA of the short message service centre used by the sender is added to the header H for the purpose of finding the short message service centre containing the billing key. The short message service centre used by the sender of the reply is not necessarily the same as that used by the sender of the SPR message."

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because livonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 22,

3GGP teaches at page 22, Fig. 3, through method for transmitting multi-media messages as claimed in Claim 21, the method further comprising: transmitting the multi-media message from the first message service provider to a second message service provider; and evaluating the multi-media message at the second message service provider; wherein the multi-media message contains at least of the first message service provider which was involved in processing the multi-media message (page 24, para.6.6).

3GGP fails to teach "a first header field featuring a reference to at least one of the network elements at least of the first message service provider which was involved in processing the multi-media message.

livonen teaches at page 10, line 4-11, "In a preferred embodiment of the invention, the short message service centre does not transmit the reply message to the short message service centre of the SPR message (steps 510 and 517), but asks from the short message service centre of the SPR message if the billing key is valid by sending the billing key to the short message service centre of the SPR message. If the billing key is valid, the short message service centre bills the receiver (step 516) by

sending a bill to the short message service centre of the SPR message."(a first header field featuring a reference to at least one of the network elements at least of the first message service provider which was involved in processing the multi-media message.)

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because Iivonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 23,

3GGP teaches a method for transmitting multi-media messages as claimed in Claim 22, the method further comprising transmitting the multi-media message from the

second message service provider to a network element outside a service environment, wherein the multi-media message contains at least a second header field featuring a reference to at least one network element of the second message service provider which was involved in processing the multi-media message. (page 49, para. 8.1.4.4, "message Distribution Indicator")

Referring to claim 24,

3GGP teaches a method for transmitting multi-media messages as claimed in Claim 23, wherein the multi-media message, upon transmission from the second message service provider to the network element outside a service environment, contains a reference to at least one of the network elements of the first message service provider which was involved in processing the multi-media message. (page 49, para. 8.1.4.4, "message Distribution Indicator")

3GGP fails to teach the first header field featuring a reference to at least one of the network elements of the first message service provider which was involved in processing the multi-media message

Iivonen teaches at page 6, line 10-the SPR message with the "Figure 4 shows basic elements of a short message of the GSM system ending at a mobile station to the extent that the elements can be used for implementing the invention in the first preferred embodiment. The basic elements may be nested inside each other, their order may differ from what is shown in the figure and their names from what are stated here. The essential thing is that the information contained in the elements is transmitted.

The basic element destination address DA shows the address of the receiver. The basic element originating address OA shows the address of the sender, and the basic element service centre address SCA shows the address of the short message service centre the sender is using. The basic element protocol identifier PID either refers to the higher-level protocol used or indicates switching to a certain type of telematic service. The basic element user data header indicator UDHI indicates whether the basic element user data UD contains a header. The UD field contains the actual short message SM. In addition, it may contain a separate header H. The header H may be used to indicate a'reply paid'message of the invention. In addition, the header H may contain an identifier for checking that the message can be billed to the receiver. The basic element PID of a short message can also be used for corresponding purposes. In addition, the information in the basic element PID can be combined with the information in the header H. The billing key required for billing for a reply can be formed with these basic elements.

In the first preferred embodiment of the invention, the basic element PID indicates the type of the message. The message can be a prior art-type message, or a message replying to which is paid by the sender of the message, or a reply message paid by the receiver. In the following, a message replying to which is paid by the sender of the message is referred to as an SPR message. The basic elements DA and OA are used to check that the receiver of the reply message will pay for the reply himself. The identifier added to the header H is used for the same purpose. In the first preferred embodiment of the invention, the billing key is formed by the identifier in the header and

the basic elements DA and OA. In the first preferred embodiment of the invention, the address SCA of the short message service centre used by the sender is added to the header H for the purpose of finding the short message service centre containing the billing key. The short message service centre used by the sender of the reply is not necessarily the same as that used by the sender of the SPR message."

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because Iivonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 25,

3GGP teaches a method for transmitting multi-media messages as claimed in Claim 24, the method further comprising transmitting the multi-media message from the network element outside the service environment back via the second message service provider to the first message service provider (Para. 7.1, pages 25-44)

3GGP fails to teach with at least one of the referenced set from the first header field and the reference set from the second header field being resolved in each return transmission step.

Iivonen teaches at page 6, line 10-the SPR message with the "Figure 4 shows basic elements of a short message of the GSM system ending at a mobile station to the extent that the elements can be used for implementing the invention in the first preferred embodiment. The basic elements may be nested inside each other, their order may differ from what is shown in the figure and their names from what are stated here. The essential thing is that the information contained in the elements is transmitted.

The basic element destination address DA shows the address of the receiver. The basic element originating address OA shows the address of the sender, and the basic element service centre address SCA shows the address of the short message service centre the sender is using. The basic element protocol identifier PID either refers to the higher-level protocol used or indicates switching to a certain type of telematic service. The basic element user data header indicator UDHI indicates whether the basic element user data UD contains a header. The UD field contains the actual short message SM. In addition, it may contain a separate header H. The header H may be used to indicate a'reply paid'message of the invention. In addition, the header H may

contain an identifier for checking that the message can be billed to the receiver. The basic element PID of a short message can also be used for corresponding purposes. In addition, the information in the basic element PID can be combined with the information in the header H. The billing key required for billing for a reply can be formed with these basic elements.

In the first preferred embodiment of the invention, the basic element PID indicates the type of the message. The message can be a prior art-type message, or a message replying to which is paid by the sender of the message, or a reply message paid by the receiver. In the following, a message replying to which is paid by the sender of the message is referred to as an SPR message. The basic elements DA and OA are used to check that the receiver of the reply message will pay for the reply himself. The identifier added to the header H is used for the same purpose. In the first preferred embodiment of the invention, the billing key is formed by the identifier in the header and the basic elements DA and OA. In the first preferred embodiment of the invention, the address SCA of the short message service centre used by the sender is added to the header H for the purpose of finding the short message service centre containing the billing key. The short message service centre used by the sender of the reply is not necessarily the same as that used by the sender of the SPR message."

Additionally Iivonen teaches at page 7, line 34-page 8, line 22, "If the message is not an SPR message, a check is made in step 509 to see whether the message is a reply message. In the first preferred embodiment, this is checked from the PID. value of the message. If the message is a reply message, a check is made in step 510 to see

whether the short message service centre address SCA in the header of the reply message is the same as the address of the short message service centre itself. If the address is the same, the short message service centre has information on whether an SPR message has been transmitted and been replied to. If the short message service centre address is the same (step 510), the destination address DA2 and originating address OA2 of the message and the identifier T2 from the header of the message are separated in step 511, and in step 512, a check is made to see whether the billing key formed by the identifier, destination address and address of the sender is valid. In the first preferred embodiment of the invention, the billing key is valid if a billing key whose OA1 is the same as DA2, DA1 is the same as OA2 and T1 is the same as T2, can be found in the memory of the short message service centre. If the billing key is valid (step 512), the message is transmitted to the receiver according to prior art in step 513. In step 514, an acknowledgement on a successful delivery to the receiver is received. After this, in step 515, the billing key, i. e. OA1, DA1 and T1, is deleted from the memory for instance by marking the memory space reserved by the billing key as free. This ensures that only one reply message is billed to the sender of the SPR message. At the same time, the receiver of the message is billed for the short message in step 516. In other words, the sender of the SPR message is billed for the reply message to the SPR message. "(with at least one of the referenced set from the first header field and the reference set from the second header field being resolved in each return transmission step.)

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because Iivonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 26,

Keeping in mind the teachings of 3GGP, 3GGP fails to teach the method for transmitting multi-media messages as claimed in Claim 25, wherein the reference specifies a return path.

Iivonen teaches at page 7, line 34-page 8, line 22, "If the message is not an SPR message, a check is made in step 509 to see whether the message is a reply message.

In the first preferred embodiment, this is checked from the PID. value of the message. If the message is a reply message, a check is made in step 510 to see whether the short message service centre address SCA in the header of the reply message is the same as the address of the short message service centre itself. If the address is the same, the short message service centre has information on whether an SPR message has been transmitted and been replied to. If the short message service centre address is the same (step 510), the destination address DA2 and originating address OA2 of the message and the identifier T2 from the header of the message are separated in step 511, and in step 512, a check is made to see whether the billing key formed by the identifier, destination address and address of the sender is valid. In the first preferred embodiment of the invention, the billing key is valid if a billing key whose OA1 is the same as DA2, DA1 is the same as OA2 and T1 is the same as T2, can be found in the memory of the short message service centre. If the billing key is valid (step 512), the message is transmitted to the receiver according to prior art in step 513. In step 514, an acknowledgement on a successful delivery to the receiver is received. After this, in step 515, the billing key, i. e. OA1, DA1 and T1, is deleted from the memory for instance by marking the memory space reserved by the billing key as free. This ensures that only one reply message is billed to the sender of the SPR message. At the same time, the receiver of the message is billed for the short message in step 516. In other words, the sender of the SPR message is billed for the reply message to the SPR message. "(the reference specifies a return path.)

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because Iivonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 27,

Keeping in mind the teachings of 3GGP, 3GGP fails to teach the A method for transmitting multi-media messages as claimed in Claim 21, wherein a functionality of the message is evident from at least one header field.

Iivonen teaches at page 7, line 34-page 8, line 22, "If the message is not an SPR message, a check is made in step 509 to see whether the message is a reply message.

In the first preferred embodiment, this is checked from the PID. value of the message. If the message is a reply message, a check is made in step 510 to see whether the short message service centre address SCA in the header of the reply message is the same as the address of the short message service centre itself. If the address is the same, the short message service centre has information on whether an SPR message has been transmitted and been replied to. If the short message service centre address is the same (step 510), the destination address DA2 and originating address OA2 of the message and the identifier T2 from the header of the message are separated in step 511, and in step 512, a check is made to see whether the billing key formed by the identifier, destination address and address of the sender is valid. In the first preferred embodiment of the invention, the billing key is valid if a billing key whose OA1 is the same as DA2, DA1 is the same as OA2 and T1 is the same as T2, can be found in the memory of the short message service centre. If the billing key is valid (step 512), the message is transmitted to the receiver according to prior art in step 513. In step 514, an acknowledgement on a successful delivery to the receiver is received. After this, in step 515, the billing key, i. e. OA1, DA1 and T1, is deleted from the memory for instance by marking the memory space reserved by the billing key as free. This ensures that only one reply message is billed to the sender of the SPR message. At the same time, the receiver of the message is billed for the short message in step 516. In other words, the sender of the SPR message is billed for the reply message to the SPR message. "(wherein a functionality of the message is evident from at least one header field..)

Not only that but , at page 14, line 4-7, Iivonen suggests that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or other multimedia messages."

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of 3GGP and Iivonen in front of him at the time of invention was made, to incorporate the teachings of Iivonen such that the multi-media message of first user agent be incorporated with the header of indicating that a message replying to which is paid by the sender of the message and be billed by the supporting VASP as dictated by 3GGP.

It would have been obvious because Iivonen suggests at page 14, line 4-7 that "Even though in the above, the invention has been explained by means of short messages, it is, however, not limited solely to them, but it is obvious to a person skilled in the art how to apply the invention to other message services, such as WAP messages or **other multimedia messages**."

Referring to claim 28,

3GGP teaches method for transmitting multi-media messages as claimed in Claim 21, wherein the switching node is embodied as a self-contained network element. (Fig.3, element MMS Relay/Server)

Referring to claim 29,

3GGP teaches method for transmitting multi-media messages as claimed in Claim 21, wherein the switching node is integrated into a relay. (Fig.3, element MMS Relay/Server)

Referring to claim 30,

Claim 30 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 21. Therefore claim 30 is rejected for the reasons set forth for claim 21.

Referring to claim 31,

Claim 31 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 22. Therefore claim 31 is rejected for the reasons set forth for claim 22.

Referring to claim 32,

Claim 32 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 23. Therefore claim 32 is rejected for the reasons set forth for claim 23.

Referring to claim 33,

Claim 33 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 24. Therefore claim 33 is rejected for the reasons set forth for claim 24.

Referring to claim 34,

Claim 34 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 25. Therefore claim 34 is rejected for the reasons set forth for claim 25.

Referring to claim 35,

Claim 35 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 26. Therefore claim 35 is rejected for the reasons set forth for claim 26.

Referring to claim 36,

Claim 36 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 27. Therefore claim 36 is rejected for the reasons set forth for claim 27.

Referring to claim 37,

Claim 37 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 28. Therefore claim 37 is rejected for the reasons set forth for claim 28.

Referring to claim 38,

Claim 38 is a claim to a system for transmitting multi-media messages in a mobile radio system in accordance with the method of claim 29. Therefore claim 38 is rejected for the reasons set forth for claim 29.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the

references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan A. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Ashok B. Patel
Examiner
Art Unit 2154